

2016) (quoting *In re Lupron Mktg. & Sales Prac. Litig.*, 677 F.3d 21, 33 (1st Cir. 2012)). The requirement that the cy pres beneficiary's interests approximate the interests of the class "stems from the trust law requirement . . . to preserve the settlor's original purpose in creating the trust." *Id.* at 848.

This litigation alleges violations of the FCRA related to Defendants' use of consumer reports for employment purposes. The FCRA regulates the procurement, use, and content of consumer reports to ensure background checks and consumer reports are accurate and contain only lawfully reportable information. This litigation alleges that Metrodata's violation of the FCRA led class members to lose job opportunities, suffer embarrassment, and experience humiliation and other emotional and mental distress. (*See* Doc. 1 ¶ 73.)

CEO is a New York-based 501(c)(3) nonprofit that provides "comprehensive employment services to people newly released from New York State prisons and detention facilities." (Doc. 87 at 2–3.) CEO has facilitated more than 34,000 placements into full-time employment for formerly incarcerated individuals. (*Id.* at 3.)

The interests of CEO reasonably approximate those pursued by the class in this litigation. Accordingly, the allocation of the anticipated \$53,190.00 settlement fund balance to CEO as the cy pres designee is appropriate.

Conclusion

The Joint Motion for Approval of Cy Pres Distribution of Settlement Funds (Doc. 87) is GRANTED. The Center for Employment Opportunities, Inc. is designated as the cy pres beneficiary.

Dated this 1st day of July, 2022.

A handwritten signature in black ink, appearing to read 'Geoffrey W. Crawford', is written over a horizontal line.

Geoffrey W. Crawford, Judge
United States District Court